

Exhibit B

Taiwan Dickerson - November 21, 2022

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TAIWAN DICKERSON and KIM)
KING-MACON, Each Individually)
and on Behalf of All Others)
Similarly Situated,)
Plaintiffs,)
vs.) Case No.
CENTENE MANAGEMENT COMPANY, LLC,) 4:22-cv-00519-HEA
and CENTENE CORPORATION,)
Defendants.)

VIDEOTAPED VIDEOCONFERENCE DEPOSITION
OF TAIWAN DICKERSON

North Little Rock, Arkansas

Monday, November 21, 2022

REPORTED BY:
Katherine West, RPR
LCR No. 791
Pages 1 - 133

Page 1

1 Videotaped videoconference deposition of
2 TAIWAN DICKERSON, taken on behalf of the Defendants,
3 beginning at 11:05 a.m. CST, and ending at
4 3:16 p.m. CST, on Monday, November 21, 2022, before
5 Katherine West, RPR, LCR No. 791, reporting remotely via
6 videoconference.

7 The signature of the witness was not
8 discussed.

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E X A M I N A T I O N
I N D E X

WITNESS: TAIWAN DICKERSON

EXAMINATION BY:

MS. MARTELL

PAGE

7

E X H I B I T
I N D E X

EXHIBIT	DESCRIPTION	PAGE
Exhibit 1	Plaintiff Taiwan Dickerson's Answers and Responses to Defendants' First Set of Interrogatories and Requests for Production of Documents	12
Exhibit 2	Plaintiff Taiwan Dickerson's Responses to Defendants' First Set of Requests for Admission	15
Exhibit 3	Offer Letter dated 2/22/2018	16
Exhibit 4	Taiwan Dickerson Electronic Personnel File	17
Exhibit 5	Centene Corporation Employee Handbook 2019	18
Exhibit 6	Taiwan Dickerson Cardholder History	73
Exhibit 7	Taiwan Dickerson Travel and Business Expense Detail	76
Exhibit 8	SMI Aware Instagram Report	83
Exhibit 9	Taiwan Dickerson Pay Stubs	89
Exhibit 10	Taiwan Dickerson Time Report	90
Exhibit 11	Taiwan Dickerson Audit Report Excerpts	99
Exhibit 12	Taiwan Dickerson TruCare Notes	103

Page 4

E X H I B I T

I N D E X

(continued)

EXHIBIT	DESCRIPTION	PAGE
Exhibit 13	Taiwan Dickerson Documents Produced	120
Exhibit 14	TruCare Summary Page	121
Exhibit 15	Declaration of Taiwan Dickerson	126
Exhibit 16	Email from Taiwan Dickerson to Shantonio Elliott and Lauren Grounds dated 7/26/2021 Re: Letter of Resignation	129

1 Q I will introduce Exhibit 3.

2 (Exhibit 3 was marked for identification.)

3 BY MS. MARTELL:

4 Q Can you see Exhibit 3 on the screen there,
5 Mr. Dickerson?

6 A Yes. I'm blowing it up here.

7 Q And does this look like the offer letter that
8 you received from Centene?

9 A Could you repeat that? I'm sorry. I didn't
10 hear. It was in and out.

11 Q Does this look like the offer letter that you
12 received from Centene?

13 A Yes. Actually -- actually, it does.
14 Actually, it does. Yes. Let's see. Yes, ma'am.

15 Q Did you accept the terms of the offer letter?

16 A Yes, I did. I did.

17 Q So I'm scrolling to page 2.

18 A Okay.

19 Q And under this last bullet on page 2, it
20 includes your agreement that you will abide by all
21 policies, practices, and procedures of Centene.

22 A Correct.

23 Q Did you agree to comply with all of Centene's
24 policies?

25 A I did.

1 Q Did you comply with all of Centene's policies
2 during your employment?

3 A I did. I did.

4 Q When did you start working for Centene?

5 A April of, I believe, 2018.

6 Q And what was your last day with Centene?

7 A Oh, I think it was around August 2021, I
8 believe.

9 Q What was your position with Centene?

10 A I was a care coordinator.

11 Q I'm going to show you another exhibit.

12 (Exhibit 4 was marked for identification.)

13 BY MS. MARTELL:

14 Q So this is Exhibit 4 which I'll pull up in a
15 minute.

16 Do you recall the Workday system at Centene?

17 A Yeah. Normal workdays was 8:00 to 5:00.

18 Q Oh, sorry. I mean, there was a --

19 A I'm sorry.

20 Q -- system called "Workday" which had, like,
21 your HR information in it.

22 A Yeah.

23 Q Do you -- do you remember that system?

24 A I do.

25 Q Okay. So this file is basically information

1 that was in the Workday system, so it's kind of like
2 your electronic personnel file.

3 So it shows that your hire date was April 9,
4 2018, and your last day was July 29, 2021.

5 Does that sound right to you?

6 A Yeah. Yes, ma'am. That's correct.

7 Q Did you receive a copy of the handbook for
8 Centene?

9 A Yes, I did. I did.

10 Q Okay. And I'm sure this will be no surprise
11 to you that I will be showing you the handbook.

12 (Exhibit 5 was marked for identification.)

13 BY MS. MARTELL:

14 Q Okay. Do you see Exhibit 5 there on the
15 screen?

16 A Yes, ma'am.

17 Q And is that the Centene handbook?

18 A Uh-huh.

19 Q And --

20 A Yes, ma'am.

21 Q And you received a copy of that?

22 A Yes, ma'am.

23 Q Okay. So on this first page, the overview
24 page, the last sentence says "Employees are expected to
25 know and abide by the Company policies outlined in this

1 handbook and those on CNET."

2 Did you have access to the company's internet,
3 which was called "CNET"?

4 A Yes.

5 Q Okay. Scrolling down to another page in the
6 handbook. Okay. And in this first paragraph under
7 "Timekeeping," there's a sentence that says "Employees
8 who are classified as nonexempt must accurately record
9 the time they work each day."

10 Would you agree with me that Centene's
11 policies required you to accurately record all of your
12 work time?

13 A Right.

14 Q Did you accurately record all of the time you
15 worked for Centene?

16 A Yes, ma'am.

17 Q At the beginning of the second paragraph, it
18 says "When nonexempt employees receive their paychecks,
19 they should verify immediately that their working time
20 was recorded accurately and that they were paid
21 correctly for all hours worked. Discrepancies should be
22 reported to payroll immediately."

23 Did you understand this policy?

24 A I did. But that was not always true, so.

25 Q How was that not always true?

1 know, the answer was always, you know, "I don't have an
2 answer for you. I'll have to give that information to
3 someone higher than me, and I'll get back with you on
4 when that can happen or what's the answer to that." So.

5 Q Okay. I would like to look at this paragraph
6 in the handbook. It says "It is a violation of the
7 Company's policy for anyone to instruct or encourage
8 another employee to work off the clock, to incorrectly
9 report hours worked, or to alter another employee's time
10 records. If any employee is directed or encouraged to
11 incorrectly report hours worked, or to alter another
12 employee's time records, they should report the incident
13 immediately to a supervisor or the local HRBP."

14 A Uh-huh.

15 Q Did you understand that policy?

16 A Completely. Yeah. Yes, ma'am.

17 Q Did you -- did you ever report any concerns to
18 your -- to HR?

19 A I know I reported everything to my supervisor
20 and managers -- and managers there. Not -- I don't -- I
21 wasn't sure who -- I think it was -- AskHR was the --
22 were the people that we -- but I never knew who to -- I
23 never knew who in HR department to, I guess, you know,
24 shoot that type of concerns -- those concerns to. I
25 never knew who to report that to. But I always reported

1 it to my supervisor, my immediate supervisor and
2 managers and managers above my supervisors any concerns
3 I've ever had.

4 Q It sounds like you were familiar with AskHR.
5 Why didn't you report it to AskHR?

6 A I'm not -- I wasn't sure if that was the chain
7 of command to reach out to first. I think my first
8 inclination was to reach out to my supervisor and
9 managers and hopefully we can get those issues resolved
10 there and not taking anything further.

11 Q Which of the supervisors and managers
12 specifically did you talk to?

13 A My supervisor was Shantonio Elliott. He was
14 my immediate supervisor.

15 Q And who else did you discuss these concerns
16 with?

17 A Ms. Lauren and I cannot think of her last
18 name.

19 Q Anyone else?

20 A Chaz. His name is Chaz England.

21 Q Anyone else?

22 A I think those are the ones that I can
23 remember. There was another guy, Sean, but I can't
24 think of his last name. Cannot think of his last name.

25 Q So is it your claim that the supervisors were

1 patient, gathering that information, I'm writing it
2 down, and once I got where -- you know, home or
3 whatever, I'm sitting down and putting that information
4 in the system. So that's normally after hours, after
5 5:00. So.

6 Q Did you -- did you go back into the office to
7 do that ever?

8 A At times I did. And then at times I was on my
9 laptop at home and then putting that information in the
10 system.

11 Q So the TruCare notes would be an accurate
12 record of the work that you performed; right?

13 A Should be. It should be. It should be.

14 Q Did you have flexibility to decide how to plan
15 your schedule?

16 A Yeah. Again, I -- for my clients that -- or
17 members that needed to be -- were able to be seen after
18 5:00, I had to kind of coordinate that, talk to my
19 supervisor to see if -- to let them know where I'm going
20 or how long -- when can the client meet to make sure
21 that that was -- that was approved, you know. And so I
22 normally would reach out to my immediate supervisor, you
23 know, give me access to do that. Then I perform my
24 duties.

25 Q Other than the activities we've talked about,

1 going on and when we get paid." So.

2 Q Is that -- when you say "the travel," is that
3 the mileage reimbursement?

4 A The mileage. I'm sorry. Mileage
5 reimbursement.

6 Q Did you turn in your miles using the Concur
7 system?

8 A Yes. The Concur.

9 Q And did you put all of your miles in Concur?

10 A Not -- not all of them because when I -- when
11 I made mention of my -- to my supervisors about the
12 mileage, you know, being compensated, he mentioned -- he
13 said -- the last thing he said was talking about not
14 sure if you guys get paid, you know, and it may not be
15 worth -- I'm not sure -- you can put it in there, you
16 can put it in the system, but you might not get paid,
17 you know because we're not sure what they're going to do
18 as far as compensation. So I know that I was putting it
19 in at one point during that time, but then once he made
20 mention of that, I kind of was -- I kind of was like,
21 "Well, I don't even know what's the use in turning it in
22 if he's not -- we're not going to get paid."

23 And at that time we weren't. We weren't -- we
24 were still waiting to get paid, and I just -- some of
25 that, you know, I didn't turn it because of that very

1 you know -- got to the office at my station. I would do
2 it there. It was just a habit I got into. They told us
3 that we could clock in that way or through our laptop.

4 So --

5 Q Okay.

6 A -- this was a habit that I practiced.

7 Q So you had multiple ways that you could clock
8 in?

9 A Yes, ma'am.

10 Q And you clocked in, like, before you started
11 working?

12 A (No audible response.)

13 (Reporter clarification.)

14 THE WITNESS: Yes, ma'am. I said, "Yes,
15 ma'am."

16 BY MS. MARTELL:

17 Q The next sentence says "During the July 11th
18 team meeting, expectations were set that employees were
19 to accurately report their time on a daily basis using
20 the timekeeping system EmpCenter unless unforeseen
21 circumstances occurred."

22 Do you recall that team meeting?

23 A I believe so. I think I corrected my actions
24 after that.

25 Q Okay. So this was July 11, 2019?

1 A Yes, ma'am.

2 Q Okay. And so you made sure that you were
3 reporting all of the time that you worked in EmpCenter?

4 A Yes. Yes, ma'am.

5 Q And do you remember who else was at that
6 meeting?

7 A I think it -- I think Lauren was there, I
8 believe, and that's Lauren Grounds was there. I think
9 that was -- or was she not? It might have been
10 another -- might have been an HR person, I believe.

11 Q Oh, sorry. I was referring to the team
12 meeting that's referenced here about reporting time
13 accurately, which sounds like maybe there were more
14 people at that meeting, and I'm just curious who was at
15 that meeting.

16 A Yes, ma'am. I'm sorry.

17 Q Do you remember, like, were there a lot of
18 other care coordinators at that meeting?

19 A No, ma'am.

20 Q No?

21 A At the meeting -- well, the meeting that they
22 discussed that we were going to make those changes to
23 make sure that we were clocking in on our computers and
24 not through the other option, ways, through the Ping or
25 whatever, yes, they were -- my team of other care

1 answer the phone, and so -- yeah. So -- which affected
2 my metrics. And so I didn't have the best percentages
3 of metrics during that time. I think it got better
4 after that, but I think that was a struggle during that
5 time because I had a lot of people -- a lot of clients
6 that was -- either didn't have phone -- phone number
7 listed or the phone number was disconnected or they just
8 wouldn't answer -- answer the calls. So that -- and
9 that all affected my metrics. I do remember that.

10 Q Got it. Okay.

11 So I wanted to just make sure that I've
12 learned everything about any complaints that you may
13 have made about your pay. So you talked about some
14 conversations that you had with supervisors regarding
15 your mileage pay.

16 Were there any other complaints that you made
17 about your pay other than those?

18 A Yeah. And I -- now that I -- I'm -- it's
19 coming back. I do remember, like, with -- I would tell
20 my supervisor, immediate supervisor, Shantonio, about
21 working after hours. I was like, "According to my
22 paycheck, you know, you know, I'm only getting, you
23 know, paid -- excuse me -- 8:00 to 5:00." You know,
24 there's nothing reflected showing that I was, you know,
25 getting any overtime after 5:00, you know, and weeks

1 something.

2 (Exhibit 9 was marked for identification.)

3 BY MS. MARTELL:

4 Q All right. Okay. This has been marked
5 Exhibit 9.

6 Can you see that?

7 A Yes, ma'am.

8 Q Okay. And this is a pay stub. It has your
9 name on it; right? Taiwan Dickerson?

10 A Correct.

11 Q Okay. And it -- this shows the pay period
12 May 12th to May 25th, 2019. And this packet actually
13 has your pay stubs in it.

14 So I'm just kind of scrolling through so you
15 can see that it has your pay stubs. Are -- would you
16 agree that these are your pay stubs?

17 A Yes. Yes, ma'am.

18 Q Okay. Were your pay stubs an accurate
19 statement of what was paid to you?

20 A I believe so. I have to -- yeah. Kind of
21 looking to make sure if anything was not accounted for,
22 but I think -- I think pretty much everything was kind
23 of -- was kind of correct.

24 Q Okay. So it shows, like, the hours that you
25 worked. It shows the rate that you were paid. It shows

1 the total that you were paid each period.

2 Were all of those components correct on your
3 pay stubs?

4 A I believe so.

5 Q So the hours that you worked were accurately
6 stated on your pay stubs?

7 A I believe so.

8 Q Did you ever report any discrepancies on your
9 pay stubs to anyone?

10 A If they -- if it was anybody, it was my
11 supervisor and some of the -- some of the care
12 coordinators that -- that was -- that came in after
13 hours that might have talked about, like, their pay
14 being -- having problems getting paid after the hours.

15 Q Do you remember, like, when you reported the
16 discrepancy to your supervisor?

17 A I think my issues were towards the end of --
18 couple months before I left -- left the job.

19 Q Okay. Let's see. So I'm going to -- I have
20 way too many windows open. Let's see.

21 Okay. So -- oh, I need to share it.

22 (Exhibit 10 was marked for identification.)

23 BY MS. MARTELL:

24 Q So can you see the Excel spreadsheet?

25 A Yes. I'm trying to blow it up real quick.

1 Q So this is Exhibit 10, and it is your
2 EmpCenter time records. So are your EmpCenter time
3 records an accurate record of the time that you worked?

4 A I believe so.

5 Q Okay. And I actually went through and I
6 highlighted in the second tab. I highlighted all the
7 times in EmpCenter that were either before 8:00 or after
8 5:00.

9 And can you see those as I'm scrolling
10 through?

11 A Yes.

12 Q Okay. So there were quite a few times that
13 you recorded time after 5:00 in EmpCenter; right?

14 A Yes. I see.

15 Q Okay. And you were paid for all of that time
16 that you recorded; right?

17 A Yes. There was some that I didn't. It
18 just -- I just clocked -- clocked out and -- because we
19 were supposed to -- just supposed to clock out, you
20 know, but it didn't -- I didn't record -- it was --
21 several that it didn't record or that I didn't wait
22 until after I got done with my workday to clock out.

23 Q So --

24 A I had a lot of times where I just kind of
25 clocked out at 5:00 or, you know -- and not -- or just

1 let the supervisor know whenever I was done with the
2 visit.

3 Q Okay. Well, I see one here where you clocked
4 out at 7:00 p.m.

5 A Uh-huh.

6 Q So but you're now testifying that you would
7 clock out at 5:00 and keep working?

8 A We were having issues with -- some of our
9 supervisors were saying that we was needing to clock out
10 to finish our day even if we were -- even if we were
11 still out but let him know once we were done so that
12 they would, I guess, make the changes needed once I
13 finished my day.

14 Q Okay. Well, here's another one at 6:00 p.m.
15 So why -- I don't understand. Why --

16 A It's not -- there was sometimes that I did. I
17 just went on and I didn't understand why to just, you
18 know, clock out, you know, at -- at 5:00 or around 5:00
19 and not at the times that I was finishing my day
20 actually, you know. So I would just kind of, like,
21 clock out once I got done, you know, finished with my --
22 with my work.

23 Q Okay. So you -- so you would clock out when
24 you finished your work; right?

25 A Yes, ma'am.

1 Q Okay. And you're saying that there were,
2 like, a few occasions where you kept working after you
3 clocked out?

4 A Yes, ma'am.

5 MR. FORD: Object to form.

6 But you can answer.

7 THE WITNESS: I'm sorry.

8 BY MS. MARTELL:

9 Q So how many occasions did you keep working
10 after you clocked out?

11 A I'm not sure. I'm not sure what -- how many
12 times.

13 Q Well, can you give me an estimate?

14 A It might have been under ten -- ten times, you
15 know. There was -- but like I said, it was towards the
16 end of my time with Arkansas Total Care.

17 Q So how would your supervisor know that you
18 hadn't correctly recorded your time --

19 A Again, I would let them know -- I would let
20 them know, like, if not -- I'd let them know that day
21 before I left my visit, this would be an afternoon visit
22 and past hours because that was the only time they were
23 available, and I was going to shoot him or holler on his
24 work phone that -- you know, once I finished and that I
25 was headed -- headed away from the member's residence.

1 Q Okay. And there were times that your
2 supervisor may have made edits to your time in response
3 to that information that you provided; right?

4 A Yes. Yes, ma'am.

5 Q Okay. So is there any time that you weren't
6 actually paid for, then?

7 A Just some times wasn't recorded, and, I guess,
8 you know, working after -- past 5:00 that I went ahead
9 and clocked in -- clocked out at 5:00 and went on and
10 worked past that, and once I finished my job, you know,
11 I would just let my supervisor know, you know, when I
12 was done. But I can't -- I don't know how many times,
13 you know, that I might have done that, you know, but
14 I -- I would just try to make sure that the job was
15 completed before I left.

16 Q But we saw, like, many times in your time
17 records just now where you recorded time after
18 5:00 p.m.; right?

19 MR. FORD: Object to form.

20 You can answer.

21 THE WITNESS: Oh.

22 BY MS. MARTELL:

23 Q You can answer the question.

24 A Then there were times I clocked out at 5:00
25 or --

1 working and clock out once we get done working or do we
2 clock out at 5:00 and just keep working and just let our
3 supervisor know what took place, what happened?

4 That's -- that's the reason why.

5 Q When --

6 A The confusion.

7 Q When were you told to clock out at 5:00?

8 A I don't know when, but I know that that was
9 the first protocol. And then once they started allowing
10 us to work after 5:00 due to visits, it was, well, clock
11 out at 5:00, but work until you get done and notify me,
12 let me -- let the supervisor know once we got done.
13 Then they would make changes on our pay.

14 So that was -- that was the part of that that
15 I was told as well. So I was kind of confused on
16 whether to clock out at 5:00 because I started clocking
17 out at 5:00 or around 5:00 at the end of my day and then
18 still working past at times depending on where I'm
19 located or go ahead and just work and clock out once I'm
20 done. And, you know, so that was kind of confusing
21 during that time. But I'm not sure, actually, that time
22 frame because it just -- it was just -- I'm not sure.

23 Q And when you let your supervisor know, your
24 supervisor made edits to your time; right?

25 A Was supposed to. He -- I don't think -- I'm

1 looking, and it didn't show that he made all the edits.
2 There was -- I just -- I can't -- I'm not sure exactly
3 what -- what day and time, but I just didn't -- when I
4 presented the information to him and called him to let
5 him know what was going on that -- those particular
6 days, you know, I figured that he would handle it --
7 handle that situation and handle it, you know.

8 Q And you were able to review your time before
9 it was submitted; right?

10 A Not -- not always. There were times where we
11 didn't get a chance to -- I guess it took a while, and
12 some of the things wasn't approved just yet. So -- but
13 it took a minute before I could actually see and
14 approve -- you know, to see that it's approved.

15 Q Okay. Well, let's take a look.

16 You could actually make edits to your own
17 time; right?

18 A Yes, I can.

19 Q Okay. And you did do that a number of times;
20 right?

21 A Sometimes I did. Yes, ma'am. Yeah.

22 Q Okay. And your supervisor also made edits
23 based on information you provided to him; right?

24 A Right. Correct. We had to stop -- we had to
25 stop personally making those changes because they --

1 times.

2 Q But is there any reason that you know of why
3 he wouldn't make sure you were paid?

4 A No. Like I said, they -- they were having
5 issues which, you know, the compensation as far as
6 mileage and the only reason that it would be paid right
7 off would be whatever is going on, you know, I guess,
8 above my job duties that they're trying to figure out
9 how to compensate the care coordinators. Whatever their
10 reason is, we were still -- we were having to wait, you
11 know, until we heard otherwise.

12 Q Okay. So I've -- oh. I haven't shared my
13 screen. So I'm introducing Exhibit 11.

14 (Exhibit 11 was marked for identification.)

15 BY MS. MARTELL:

16 Q And this shows edits that were made to your
17 time, and I've just picked out some sample days. So --
18 and I'll kind of walk you through this because it might
19 be hard to follow.

20 So do you recognize 227109 as your ID number?

21 A Not -- not that I remember at this time. I'm
22 not sure.

23 Q Okay. Well, we'll look at your electronic
24 personnel file, then, so you can verify that.

25 So this is Exhibit 4. So 227109, that's your

1 ID number.

2 A Okay.

3 Q So remember that. 227109. And then

4 Shantonio's ID number, you can see here, is 266280. So

5 remember that one too.

6 So I'm going to look again at Exhibit 11,

7 which is some of the time edits.

8 So here we have 227109, so that's your ID

9 number. We just verified that; right?

10 A Okay.

11 Q And 266280, that's Shantonio's ID number. We

12 just looked at that; right?

13 A Right.

14 Q Okay. And so what this shows is the work date

15 was May 13, 2019, and it shows that the clock post, so

16 you actually, like, used the, you know, timer in

17 EmpCenter, and that's stamped at 8:26 a.m. And then, I

18 guess, it got stamped again at 8:28. And then it

19 appears that you did not, like, do any other punches

20 that day. And so Shantonio went in and entered time for

21 your missed punches.

22 Were there times that you would tell him,

23 like, "Oh, I missed my punch and here are the times"?

24 A Yes, ma'am.

25 Q Did that happen?

1 A Yes.

2 Q Okay. So it looks like this -- this is one of
3 those times where he was entering your missed punches.

4 Okay. So he did that on May 16th.

5 Now, then you went in on May 24th, and you
6 changed your time to 8:00 a.m. So you were able to go
7 in and make an edit after your supervisor made edits;
8 right?

9 A Looks like for that day, yeah. For that time.

10 Q Okay. Let's look at this one. Okay. So it
11 looks like this is another situation like that. So this
12 is May 16, 2019. The -- it looks like you didn't have
13 any punches on this day, but Shantonio went in and
14 entered punches for you. And, again, there was a -- on
15 May 24th, you -- because that's your ID number, you were
16 able to go in and add time, update your time from
17 8:45 to 8:00 a.m. So, again, this is just to show that
18 you were able to go in after your supervisor made edits
19 and make your own edits; right?

20 A Right. During that time, yeah. Correct.
21 That's correct. Either because I forgot to put in the
22 time or punch in the time or whatnot. You know, I let
23 the supervisor know.

24 Q Okay. All right. So let's look at this one.
25 So this is January 24, 2020. So this one shows you

1 clocked in at 7:58, and then you went to lunch at
2 2:01 p.m., came back at 3:09 p.m.

3 And then here Shantonio, 22 -- 266280, looks
4 like he entered your missed punch at the end of the day,
5 and he put it in as 5:20 p.m., so he was even recording
6 your time after 5:00; right?

7 A Uh-huh.

8 Q Okay. All right. Let's look at this one. So
9 we've got -- looks like you -- this was December 2,
10 2020. You -- you manually entered time from 8:00 to
11 1:30 and then 1:30 -- and then you punched out for lunch
12 1:30 to 2:30, and then you punched out at 5:00, and then
13 Shantonio came in, because remember that's his ID
14 number, 266280, and he updated your time to 7:00 p.m.
15 So he added two hours at the end of the shift. So this
16 would be an example of one of those times where you told
17 him, "Oh, I -- you know, I worked extra this day," and
18 he changed your time to reflect that; right?

19 A Right.

20 Q Okay. So can you give any examples at all of
21 times when Shantonio did not update your time as you
22 requested?

23 A I just -- I -- there's nothing that I can --
24 that I have documented, you know, that's showing
25 after -- I just know that at times after 5:00, you know,

1 that times, you know, were -- it wasn't -- it wasn't
2 documented in 2021, you know. It was not documented.
3 So -- but at times he would -- you know, he would
4 document it, you know. So --

5 Q Okay. So, I mean, but these examples show
6 that he did make --

7 A Times that he did --

8 Q -- edits to add time for you?

9 A Correct.

10 Q Okay. And wouldn't you agree that this issue
11 would be really individualized? Like, it would be
12 different for every care coordinator?

13 A It would be.

14 Q Okay. Okay. Let's -- let's take another
15 break. So we'll go off the record?

16 THE VIDEOGRAPHER: We're off the record at
17 2:04.

18 (Off the record.)

19 THE VIDEOGRAPHER: We're back on the record at
20 2:13.

21 BY MS. MARTELL:

22 Q Okay. Welcome back.

23 So I'm going to introduce another exhibit.

24 (Exhibit 12 was marked for identification.)

25 ///

1 trying to get them in or make sure that whatever they
2 put an order in for, whether it's for wheelchair,
3 glasses, whatnot, whatever, I was trying to stay to make
4 sure that the job was completed and done. So I just can
5 recall just a lot of -- a lot of days after 5:00 doing
6 that. So.

7 Q Can you give me an estimate?

8 A I -- just more than ten. I'm not sure
9 exactly, but I know I spent a lot of time. There was
10 one case in particular on one individual, one client,
11 that I really put in a lot of time, I remember, after
12 hours to make sure that he was situated at a facility.
13 So --

14 Q Okay.

15 A -- that I reached out --

16 Q So we also looked at your time records, and we
17 saw many times that you did clock out after 5:00; right?

18 A Well, yeah. Those -- at times, yeah, that I
19 did notify or punched out later than 5:00.

20 Q Okay. And you also took days off as well,
21 didn't you?

22 A Yes. We were given -- given the time to be
23 off at time as well.

24 Q Okay. So you had, like, holidays, for
25 example?

1 A Uh-huh.

2 Q And you had vacation?

3 A Correct.

4 Q How -- how many vacation days did you get per
5 year?

6 A I guess, pretty much, 40 hours vacation time,
7 you know.

8 Q And you took sick time on occasions?

9 A At times, yes, ma'am.

10 Q Okay. And I think you had bereavement leave
11 as well?

12 A Yes. Uh-huh.

13 Q Well, when I looked at your time records, I
14 counted up 92 days where you used time off of some sort.
15 Do you think that sounds about right?

16 A I'm guessing so.

17 Q Okay. And in the weeks that you were using
18 time off, you were not working over 40 hours in those
19 weeks; right?

20 A Correct.

21 Q Okay. So we're going to look again at
22 Exhibit -- what is this exhibit? -- I thought I marked
23 it. Oh, it's the wrong thing. Sorry. I mean, it's the
24 right thing, but it's not the marked exhibit. So
25 Exhibit 9. These are your pay stubs.

1 Okay. So I want to count how many pay stubs
2 you had where you earned overtime. Okay? So -- and
3 I've highlighted that to make it easier. So we have
4 some here in 2019 where you didn't. Looks like you were
5 maybe taking some vacation and stuff. Let's see. Okay.
6 So we have one, two.

7 Do you see that where you're -- where you've
8 got overtime here?

9 A Correct.

10 Q Three, four, five, six, seven --

11 MR. FORD: Breanne, can you slow down a little
12 bit so that we can actually see the numbers as well, not
13 just the highlight.

14 MS. MARTELL: Okay.

15 MR. FORD: I appreciate it. Not a lot of
16 time. Just a little bit.

17 BY MS. MARTELL:

18 Q Seven, eight, nine, ten, 11, 12, 13, 14, 15,
19 16, 17, 18, 19, 20, 21, 22. So I count 22 pay periods,
20 looks like, out of 41 here.

21 So based on that, I mean, basically half of
22 your pay stubs have overtime pay on them; right?

23 A Yeah. I see that.

24 Q So you were frequently paid overtime; isn't
25 that right?

1 A Yes. During that time.

2 Q Well, this starts at 2019 and ends at 2021.

3 So -- so you were -- during your employment, you were
4 frequently paid overtime; right?

5 A Yes.

6 Q And, in fact, you did produce a few pages to
7 us as part of your document production.

8 Do you remember the documents that you
9 produced?

10 A No, ma'am, I don't.

11 Q Okay.

12 A And I -- I was --

13 Q I'll show them to you.

14 A And I was referring to my last couple months
15 working with Arkansas Total Care.

16 Q So when you say that you were referring to the
17 last couple months, are you saying that your claims are
18 limited to that time period?

19 A Yes.

20 Q And why -- why would things have changed?

21 A Based from, you know, the problems we were
22 having as far as getting compensated through our mileage
23 and -- off the mileage that I was -- that I was, you
24 know, let my supervisor know. I mean, that was -- I was
25 still waiting to be compensated there. I didn't --

1 there was no -- we never figured out what happened, why,
2 you know, was I, you know, not compensated there. I was
3 just trying to figure out what was going on there. You
4 know, we didn't have any issues before being paid
5 overtime, being paid -- being paid, you know, mileage.
6 It just all came -- came about, like, towards the -- my
7 last couple of months, you know.

8 Q And, I guess, I'm just confused. Like, why --
9 why there would have been a change. If everything was
10 fine up until then, why would they stop paying you?

11 A Like, I'd like to know what changed or why
12 when they said that we were -- I was going to be
13 compensated, you know, why did that -- why did it not
14 happen or why did I have to wait it out and to come to
15 the conclusion that it's not -- it's not -- it wasn't
16 going to happen. Or what happened along the line that
17 changed -- changed and that I wasn't able to get
18 compensated.

19 (Exhibit 13 was marked for identification.)

20 BY MS. MARTELL:

21 Q Okay. So this -- this is the pages that you
22 produced to us. Do you recognize --

23 A Yes.

24 Q -- this? It looks like maybe a printout of a
25 screen you were able to look at of your pay statements,

1 maybe.

2 A Right.

3 Q Okay. So it looks like we've got one pay
4 period here with 24 holiday hours. We have another pay
5 period with overtime hours. We have another pay period
6 with overtime hours. And we have another pay period
7 with 16 hours of holiday.

8 So this just, I guess, shows again what I was
9 saying before, that there were weeks that you did not
10 have overtime because you had, like, time off, and there
11 were also many occasions when you were paid overtime;
12 right?

13 A Mileage was not taken care of, though. My
14 mileage was not considered --

15 Q But you were paid -- you were paid mileage --

16 A Before.

17 Q Before. Okay.

18 So this lawsuit is really about your mileage
19 pay in the last couple months of 2021 when you were
20 working?

21 A Yeah. That's correct.

22 Q Okay. I want to look at that.

23 (Exhibit 14 was marked for identification.)

24 BY MS. MARTELL:

25 Q Okay. This is Exhibit 14, and it's basically

1 Q Okay. Are you in touch with any care
2 coordinators now?

3 A No, I'm not.

4 Q What about after you worked for Centene? Were
5 you in touch with anyone?

6 A No. Before I left, you know, they were asking
7 was I okay or where I was headed to, and I just
8 didn't -- I didn't have anything in particular or any
9 place in particular that I was transitioning to. So --
10 but that was just a conversation when I was there upon
11 my -- when I end -- ended with the Arkansas Total Care.
12 So.

13 Q And you chose to resign; right?

14 A Yes, I did.

15 Q Okay. Are you -- are you still doing your
16 barbershop?

17 A Every now and then I am.

18 Q Okay.

19 (Exhibit 16 was marked for identification.)

20 BY MS. MARTELL:

21 Q Okay. So I'm introducing Exhibit 16, which is
22 your -- excuse me -- letter of resignation on July 26,
23 2021.

24 And it says "I've had a wonderful learning and
25 building experience with Arkansas Total Care. I've been

1 offered another position with more advancement
2 opportunities." It says you're putting in your two
3 weeks' notice, and you say that you have about 59 hours
4 so you're planning to take some time off.

5 So this is your resignation email; right?

6 A Yes, ma'am.

7 Q And you didn't mention anything in this email
8 about not being paid; right?

9 A No. No. No. That was something that I
10 discussed with the supervisor alone.

11 Q And we -- we've talked about that; right?

12 A Well, we didn't resolve it between he and I
13 about the -- the travel pay. We never resolved it. But
14 yeah, according to this case, yeah.

15 Q You mean for the mileage pay?

16 A Yes, ma'am. Mileage pay and also the hours
17 after work that he approved -- he approved me but not
18 everything was -- was recorded. There was some that was
19 recorded but not everything past 5:00.

20 Q But you can't give me any specific dates for
21 anything about the ones that you're claiming --

22 A Yes, ma'am.

23 Q -- is after 5:00? Okay.

24 A Correct.

25 Q And we've looked at data showing that you

COURT REPORTER'S CERTIFICATE

STATE OF TENNESSEE:

I, Katherine West, RPR, Licensed Court Reporter in
and for the State of Tennessee, do hereby certify:

That the witness in the foregoing deposition was by
me first duly sworn to testify the truth, the whole
truth, and nothing but the truth in the foregoing cause;
that the deposition was taken before me at the time and
place herein named; that said deposition was reported by
me in shorthand and transcribed, through computer-aided
transcription, under my direction; and that the
foregoing transcript is a true record of the testimony
elicited at proceedings had at said deposition to the
best of my knowledge, skills, and ability to discern
testimony via videoconference transmission.

I do further certify that I am a disinterested
person and am in no way interested in the outcome of
this action or connected with or related to any of the
parties in this action or to their respective counsel.

In witness whereof, I have hereunto set my hand
this 21st day of November, 2022.



Katherine West, RPR

TN LCR No. 791

Expiration: June 30, 2024